



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

January 08, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

21 January 8, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION
SLOPE EASEMENT EAST OF OLD TOPANGA CANYON ROAD (CONDITIONAL)
IN THE UNINCORPORATED COMMUNITY OF OLD CANYON
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to vacate a slope easement east of Old Topanga Canyon Road in the unincorporated community of Old Canyon that is no longer needed for public use. The vacation has been requested by the underlying property owner to clear the property's title of the easement and allow for improvements.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for slope purposes east of Old Topanga Canyon Road in the unincorporated community of Old Canyon has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.

3. Find that the easement for slope purposes east of Old Topanga Canyon Road in the unincorporated community of Old Canyon is excess and not required for street or highway purposes and that it may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.

4. Adopt the Resolution of Summary Vacation.

5. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate the easement for slope purposes east of Old Topanga Canyon Road (Easement) in the unincorporated community of Old Canyon, since it no longer serves the purpose for which it was dedicated and is not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$1,500 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by the Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 1.58 acres and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The County's interest in the Easement was acquired in 1981 by dedication in Parcel Map No. 11227, filed in Book 140, pages 42 through 47, inclusive, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as an easement for slope purposes.

Mr. Jack Leland, the underlying property owner, requested the vacation of the Easement to clear the property's title of the easement and allow for an additional buildable area. The vacation area will be used for a future leach field, and there will be no structures built on the subject vacated portion.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately

preceding the proposed vacation.

The California Streets and Highways Code Section 8334(a) provides that the legislative body of a local agency may summarily vacate any excess right of way of a street or highway not required for street or highway purposes.

The proposed vacation is conditioned upon the underlying property owner dedicating an easement for riding and hiking trail purposes, as shown on the map that is attached to the enclosed Resolution of Summary Vacation. This condition must be met to the satisfaction of the Department of Parks and Recreation within one year of the date this resolution is adopted by the Board or the vacation of the Easement will terminate and become null and void. The Department of Public Works will record the enclosed resolution upon satisfaction of the condition.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easement and will result in the property being unencumbered by the Easement and available to the property owner for use as a future leach field.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easement.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

The Honorable Board of Supervisors

1/8/2013

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Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
SLOPE EASEMENT EAST OF OLD TOPANGA CANYON ROAD
(Conditional)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for slope purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement east of Old Topanga Canyon Road is located in the unincorporated community of Old Canyon in the County of Los Angeles, State of California.
2. The Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easement has been determined to be excess and not required for street and highway purposes.
4. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
5. The proposed vacation is conditioned upon the underlying property owner dedicating an easement for riding and hiking trail purposes. The condition must be met to the satisfaction of the Department of Parks and Recreation within 1 year of the date this resolution is adopted by the Board of Supervisors or the vacation of the Easement will terminate and become null and void.
6. That upon the satisfaction of the above condition, the Director of Public Works, or her designee, is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will be terminated.
7. From and after the date this resolution is recorded, the Easement will no longer constitute a street, highway, or public service easement.

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The foregoing resolution was on the 8th day of January, 2013, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By Julia Weissman
Deputy

By [Signature]
Deputy

NS:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER RESOLUTION\TOPANGA CYN RD RESOLUTION



EXHIBIT A

Project name: **SLOPE EASEMENT EAST OF
OLD TOPANGA CANYON ROAD 18-1VAC**
A.I.N. 446-001-010
T.G. 589-G2
I.M. 144-077
R.D. 336
S.D. 3
M1188111

LEGAL DESCRIPTION

PARCEL NO. 18-1VAC (Vacation of slope easement):

All that certain portion of land within Parcel 1, Parcel Map No. 11227, as shown on map filed in Book 140, pages 42 through 47, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, shown and designated as "SLOPE EASEMENT TO THE COUNTY OF LOS ANGELES" on said map.

Containing: 1.58± acres.



APPROVED AS TO DESCRIPTION	
By	
	LICENSED LAND SURVEYOR
	Los Angeles County Department of Public Works
Dated	11/1, 2012

FINAL.dgn 12/06/2012 2:50:04 PM